

Translation

PATENT COOPERATION TREATY

PCT/JP2004/004433



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SK04PCT00034	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2004/004433	International filing date (day/month/year) 29 March 2004 (29.03.2004)	Priority date (day/month/year) 28 March 2003 (28.03.2003)
International Patent Classification (IPC) or national classification and IPC G06F 9/445		
Applicant SONY CORPORATION		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 7 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 08 September 2004 (08.09.2004)	Date of completion of this report 04 February 2005 (04.02.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/004433

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages _____ 1-31 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- pages _____ 2-6,8,10-14,16,18-24 _____, as originally filed/furnished
- pages* _____ 1,7,9,15,17 _____, as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the drawings:
- pages _____ 1-13 _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP04/004433

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims	7, 15, 23	YES
	Claims	1-6, 8-14, 16-22, 24	NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 2001-222624, A (Sony Corp.), 17 August, 2001 (17.08.01)

Document 2: JP, 2002-323980, A (Denso Corp.), 8 November, 2002 (08.11.02)

Document 3: JP, 2003-6133, A (Canon Inc.), 10 January, 2003 (10.01.03)

The subject matters of claims 1, 3-6, 8, 9, 11-14, 16, 17, 19-22 and 24 do not appear to be novel in view of documents 1 and 2 cited in the ISR.

Document 1 (specification, paragraph 0084 to paragraph 101) describes a technology whereby information on the state of a robot apparatus is transmitted to a server via a network, the server analyzes the said information and transmits to the terminal of an individual software products concerning "growth", "character", "motion", or "action" that can be purchased in the form of selection items, and such products as selected on the terminal are purchased. Accordingly, a person skilled in the art could have made the contents of the software described in document 1, which is software for recognition/behavior control such as "growth", "character", "motion", or "action", into information in the form of motion data describing the motions of the machine body or an application program to perform recognition/behavior control, as required.

Document 2 (the claims) describes a server providing data or programs to clients via networks wherein the said server receives information on a service request from a client and information on the resources owned by the said client, and transmits to the client the data for the requested service and the programs necessary for the service to be performed, if the client lacks such programs. A person skilled in the art could have easily conceived of the subject matters of claims 1, 3, 5, 8, 9, 11, 13, 16, 17, 19, 21 and 24 by applying the technology described in document 2 to the technology described in document 1, both the former and the latter being a technology of providing software according to information on the user device that is sent via a network, and thereby conceiving the constitution wherein information on a service request from a robot apparatus and information on the resources owned by the said robot apparatus are transmitted from the said robot apparatus to a server, and the said server analyzes the information on the resources owned by the said robot apparatus, and transmits to the said robot apparatus the data requested and the programs necessary for the service to be performed if the robot apparatus lacks such programs.

A person skilled in the art could have easily conceived of both a feature (claims 4, 12 and 20) wherein the transmission of data or programs to a robot apparatus is performed by returning an access method to the apparatus and having the apparatus make access, and a feature (claims 6, 14 and 22) wherein a robot apparatus transmits a unique ID to it, a type ID, etc.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: V

The subject matters of claims 2, 10 and 18 do not appear to involve an inventive step in view of documents 1 and 2, and document 3 cited in the ISR.

A technology of communicating information on the equipment between apparatuses according to SOAP protocol is well known as described, for example, in document 3, specification, paragraph 0043.

The subject matters of claims 7, 15 and 23 appear to be novel and to involve an inventive step in view of documents 1-3.

A feature wherein the functions that are lacking are substituted by those available to the robot apparatus is not described in any of documents 1-3.

The international applicant claims in an unofficial comment on the international search and opinion dated 13 August 2004 that the subject matters of claims 1-6, 8-14, 16-22 and 24 appear to involve an inventive step over documents 1 and 2 in the feature wherein "motion data describing machine motions, or an application program to perform recognition and/or behavior control is provided." As discussed above, however, a person skilled in the art could have easily conceived of the subject matters of claims 1-6, 8-14, 16-22 and 24 by using the software provided in the technology described in document 1 as motion data describing machine motions, or an application program to perform recognition/behavior control.